



DEPARTMENT OF THE NAVY  
DEPUTY NAVAL INSPECTOR GENERAL FOR MARINE CORPS MATTERS/  
INSPECTOR GENERAL OF THE MARINE CORPS  
701 S COURTHOUSE ROAD  
ARLINGTON, VA 22204

IN REPLY REFER TO:

3040

12 Dec 18

Ms. Lynda Kiernan

Dear Ms. Kiernan,

This letter is in response to your letter to the Commandant of the Marine Corps dated 9 November 2018. On behalf of the Commandant of the Marine Corps, it pains me to inform you that federal law prohibits the Navy from releasing a copy of its investigation surrounding the medical care provided to your son, Becket. I have spoken to the Commandant regarding this matter, and he shares my sentiment.

It is standard protocol for a Commanding Officer to initiate a Command Investigation, referred to as a "line of duty" investigation upon the loss of a service member; its purpose is to review the facts and circumstances and determine whether a death occurred within the "line of duty" or was due to misconduct. The Commanding Officer of Marine Corps Communication-Electronics School (MCCES) initiated such an investigation on 15 February 2018 to investigate Becket's untimely death. The Commanding General of Training Command endorsed this investigation on 5 April 2018 and concluded that the death of PFC Kiernan was in the line of duty. Under applicable law, I cannot provide a copy of this investigation to you. You may, however, submit a request for a copy pursuant to the Freedom of Information Act (FOIA), and portions of the investigation may be released to you. You may find FOIA instructions at: <https://www.hqmc.marines.mil/Agencies/USMC-FOIA/How-to-make-a-request/>.

The Navy Bureau of Medicine and Surgery (BUMED) investigation was an extensive "quality of care" review that analyzed not only the role of all providers, facilities, and support systems involved in the care and treatment of your son, but also included a comprehensive analysis to identify steps that should be taken to improve. As previously mentioned, Federal law (10 U.S.C. §1102) prohibits the release of this investigation to you.

I can, however, share with you that the Marine Corps has taken steps to improve access to medical care for MCCES students. For example, newly-arrived students now have required classes with medical personnel to inform them on where medical services are located and how to access them. The staff at MCCES has undergone additional training to revalidate procedures and protocols in providing quick medical attention. Likewise, three medical practitioners have been added to the care clinic to provide immediate one-on-one attention and triage for follow-on care. Students with more serious and immediate concerns are immediately referred to the Marine Corps Air Ground Combat Center (MCAGCC) Naval Hospital emergency room or to Desert Regional Medical Center in Palm Springs, CA, as appropriate. Efforts to further improve access to medical services remain ongoing.

I recognize there is little comfort in my correspondence that can alleviate your concern. We Marines share in your grief at the loss of Becket. Please know that the Marine Corps' also shares your steadfast commitment to ensuring that Marines receive the medical care and attention necessary to thrive. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "D. A. Ottignon", with a stylized flourish at the end.

D. A. OTTIGNON

Major General, USMC